

Message Text

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ORIGIN EB-07

INFO OCT-01 AF-06 ARA-06 EA-06 EUR-12 NEA-10 IO-10 ISO-00

OIC-02 SSO-00 NSCE-00 INRE-00 USIE-00 FEA-01 AGR-05

CEA-01 CIAE-00 COME-00 DODE-00 FRB-03 H-02 INR-07

INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05

CIEP-01 SS-15 STR-04 TAR-01 TRSE-00 PRS-01 SP-02

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APPROVED BY EB/OT/GCP:DJDUNFORD

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IO/UN/BAPS:WSOUTHWORTH

IO/CMD:EBRUCE

STR:DWHITNACK

TREASURY:MCHAVES

COMMERCE:DGARDNER

AGRICULTURE:RSIMPSON/JSTARKEY

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FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO AMEMBASSY CANBERRA

AMEMBASSY TEL AVIV

AMEMBASSY BRASILIA

USMISSION EC BRUSSELS

AMEMBASSY WELLINGTON

AMEMBASSY BELGRADE

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E.O. 11652: N/A

TAGS: GATT, ETRD

SUBJECT: JULY 11 GATT COUNCIL MEETING

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REFS: (A) GENEVA 5034; (B) GENEVA 5128; (C) GENEVA 5012;

(D) STATE 97828; (E) STATE 106835; (F) STATE 157113;

(G) STATE 152441; (H) STATE 161141; (I) STATE 154010;

(J) GENEVA 5228; (K) STATE 129788; (L) GENEVA 5012;

(M) STATE 45529; (N) GENEVA 5403

1. HERewith FOLLOWS GUIDANCE FOR JULY 11 GATT COUNCIL MEETING.

2. EC ACCESSION WORKING PARTY--TEXT OF DRAFT REPORT ACCEPTABLE FOR SUBMISSION TO GATT COUNCIL WITH MODIFICATIONS IDENTIFIED IN REFTEL G, AND ASSUMING MISSION SUCCESSFUL IN PERSUADING AMB. KITAHARA TO WITHDRAW HIS SUGGESTION RE TIMING OF GATT REVIEW OF ARTICLE XXIV. (WE ASSUME AGENDA ITEM REFERS TO WIND UP OF WORKING PARTY SCHEDULED PER GENEVA 4553 FOR JULY 11 GATT COUNCIL.)

3. GATT CONSULTATIVE GROUP OF 18--AS PREVIOUSLY INDICATED PER REFTELS I AND J, U.S. SUPPORTS FORMATION OF THE GATT CONSULTATIVE GROUP OF 18 IN VIEW OF THE UNANIMOUS ADOPTION OF THE NAME "CONSULTATIVE GROUP" AND ON THE BASIS THAT IT WILL BE SOLELY A CONSULTATIVE GROUP AND NOT A DECISION-MAKING BODY. U.S. DEL, IN EXPRESSING ITS

SUPPORT FOR ESTABLISHMENT OF THE GROUP, SHOULD REITERATE THE LATTER POINT. IF SUBSEQUENT DISCUSSION REQUIRES, U.S. DEL MAY INDICATE THAT WE SUPPORT THE SELECTION OF LONG FOR THE CHAIRMANSHIP BUT THAT WE BELIEVE SELECTION OF CHAIRMAN IS MATTER FOR GROUP TO TAKE UP AT ITS FIRST MEETING.

4. INTENSIFICATION OF YUGOSLAV IMPORT RESTRICTIONS--PER REFTEL F WE AGREE WITH PROPOSAL TO RAISE MATTER LIGHTLY AND ASK FOR FALL 1975 BOP COMMITTEE REVIEW IF OTHERS DO NOT DO SO.

5. ESTABLISHMENT OF BUDGET COMMITTEE--WE AGREE WITH ROUTINE HANDLING AND SUPPORT OF GATES AS CHAIRMAN AS SUGGESTED IN PARAGRAPH 4 OF REFTEL A.

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6. DATES FOR 31ST CONTRACTING PARTIES SESSION--BECAUSE THANKSGIVING HOLIDAY FALLS ON NOVEMBER 27, U.S. DOES NOT WISH CP SESSION TO BE SCHEDULED FOR WEDNESDAY, THURSDAY, OR FRIDAY OF WEEK OF NOVEMBER 24-28. HOWEVER, WEEK OF NOVEMBER 17-21 WOULD BE ACCEPTABLE, PREFERABLY FOR THREE DAY SESSION.

7. U.S. CONCERNED WITH BRAZILIAN ATTITUDE TOWARD GATT RESPONSIBILITIES, SPECIFICALLY NON-ADHERENCE TO ARTICLE XXVIII REQUIREMENTS WITHOUT PRIOR WAIVER. WE AGREE U.S. SHOULD RESPOND AT JULY 11 GATT COUNCIL MEETING AS PER PARA. 4 OF REFTEL L. HOWEVER, RE PARA. 5, WE

DO NOT AGREE PREVIOUS WAIVERS (E.G., INDONESIA) HAVE

ESTABLISHED PRECEDENT FOR ART. XXXVI:8 REFERENCE IN CASE OF WITHDRAWAL OR MODIFICATION LIMITED NUMBER OF ITEMS IN A COUNTRY'S SCHEDULE. IF NON-RECIPROCITY PRINCIPLE OF ART. XXXVI:8 MADE APPLICABLE IN SUCH CASES LDCS COULD THEORETICALLY WITHDRAW AND RENEGOTIATE BINDINGS ON ANNUAL BASIS AND EVENTUALLY ELIMINATE ALL GATT CONCESSIONS.

8. WE ALSO NOTE THAT AIRCRAFT AND PARTS (BTN 88.01, 88.02, AND 88.03) CONCESSIONS NEGOTIATED WITH THE U.S. (GATT SECRET/187/ADD.5) NOT INCLUDED IN THE LISTING OF WITHDRAWALS SUBMITTED BY BRAZIL. REF. M EXPLAINS BACKGROUND OF BRAZILIAN ACTION UNDER DECREE-LAW NO. 1366 WHICH INCREASED DUTIES AND ESTABLISHED MINIMUM VALUES FOR AIRCRAFT IMPORTS. BRAZILIA 142, (INFO. GENEVA) INDICATES BRAZIL INTENDS RENEGOTIATE TARIFFS ON AIRCRAFT. SUBSEQUENT DECREE PROMULGATING BOUND RATES DID NOT INCLUDE AIRCRAFT ITEMS, LEADING TO CONCLUSION THAT HIGHER RATES SET IN DECREE-LAW 1366 STILL APPLY. BRAZILIANS SHOULD BE QUESTIONED ON THIS MATTER OUTSIDE

COUNCIL.

9. US DEL MAY ALSO WISH TO NOTE AS APPROPRIATE THE "STATISTICAL CURIOSITY" THAT LIST OF 24 WITHDRAWALS SUBMITTED TO THE GATT BY BRAZIL INDICATES APPLIED RATES OF DUTY HIGHER THAN THE NEGOTIATED RATE ON 15 ITEMS, ALL OF WHICH WERE NEGOTIATED WITH AND BOUND TO THE LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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U.S. U.S. EXPORTS TO BRAZIL OF THESE ITEMS (BASED ON 1974 BRAZILIAN IMPORTS DATA) WERE VALUED AT 52.6 MILLION DOLLARS.

10. ARTICLE XXII CONSULTATIONS ON BOVINE MEAT WITH THE EC--WE SEE NO PRESSING NEED FOR USG STATEMENT ON THIS ISSUE. HOWEVER, IF AUSTRALIANS REQUEST SUPPORT OR IF MISSION PERCEIVES ADVANTAGE FOR U.S., U.S. REP MAY MAKE BRIEF STATEMENT ALONG LINES SUGGESTED PARA 7 OF REFTEL A WITHOUT, HOWEVER, MENTIONING VOLUNTARY RESTRAINT AGREEMENTS UNLESS THESE HAVE BEEN BROUGHT UP BY OTHERS.

11. AUSTRALIA-NEW ZEALAND AND FREE TRADE AREA BIENNIAL REPORT--MISSION SHOULD DRAW ON U.S. POSITION AS SET FORTH IN PARAGRAPH 1 OF REFTEL H. IF HELPFUL IN ANY SUBSEQUENT DISCUSSION, MISSION MAY DRAW AS APPROPRIATE ON PARAGRAPH 2 OF REFTEL H.

12. LOME CONVENTION--WE AGREE WITH SUPPORT FOR ROUTINE ESTABLISHMENT OF WP SUGGESTED PARAGRAPH 1 OF REFTEL B.

IF SUBSTANTIVE ISSUES ARISE US DEL SHOULD BE GUIDED
BY REFTELS D, AND E, AND K.

13. EC-ISRAEL AGREEMENT--WE AGREE WITH SUPPORT FOR

ROUTINE FORMATION OF WP AND CAN ACCEPT MARIADASON AS
CHAIRMAN AS SUGGESTED IN PARAGRAPH 2 OF REFTEL B.

14. AUSTRALIAN IMPORT MEASURES--WE AGREE WITH COURSE
OF ACTION PROPOSED IN PARAGRAPH 3 OF REFTEL B. FYI:
PLEASE CLARIFY STATEMENT PARA 3, REFTEL B THAT EC IS
ENGAGED IN ARTICLE XXII DISCUSSIONS WITH AUSTRALIA.
WE HAD UNDERSTOOD TEXTILE DISCUSSIONS WOULD BE TAKING
PLACE UNDER TEXTILE AGREEMENT. END FYI.

15. MEXICO'S PARTICIPATION PER REFTEL N--IN THE EVENT
OF LATIN AMERICAN CHALLENGE TO THE LOME AGREEMENT THE
U.S. DEL SHOULD, WHILE EXPRESSING UNDERSTANDING OF
THE REASONS FOR THE CHALLENGES, EITHER IN ITS STATEMENT
IN THE GATT COUNCIL OR PRIVATELY TO THE CONCERNED LATIN
AMERICAN DELEGATIONS, STRESS THAT THESE QUESTIONS SHOULD
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BE DEALT WITH IN THE WORKING GROUP EXAMINATION OF THE
AGREEMENT. INGERSOLL

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